

REMARKS/ARGUMENTS

Claim rejections 35 USC § 102

In section 2 of the above referenced Office Action, Claims 1-5, 7-9, 11-21, and 23-26 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Kaiser et al. (US Patent No. 6,615,408 B1) (hereinafter Kaiser). Applicants respectfully traverse the rejection.

Independent Claim 1 recites a limitation whereby business data is compiled into a binary form, as claimed. Moreover, independent Claim 1 recites a limitation whereby a script is generated using a script authoring tool wherein said compiled business data is processed according to said generated script, as claimed. Independent Claim 1 also recites a limitation whereby business data and the script are streamed to a receiver wherein the receiver uses the script to access the compiled business data, as claimed.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Kaiser discloses that action resource data may include instructions such as XML, HTML, or SGML (see Kaiser, col. 5, lines 59-60). The Applicants do not understand Kaiser to teach or suggest compiling business data into a binary form, as claimed. The above referenced Office Action assumes that an XML, HTML or SGML compiles business data into a binary form, as claimed. Moreover, the above referenced Office Action states that "as provider 1500 is an HTTP server and the HTTP protocol is utilized via the Internet (column 5, lines 51-55) the data must be in a binary format as HTTP is a digital format." The Applicants respectfully disagree because existence of data in a binary form does not necessitate its compilation into a binary form, as claimed. Data may simply be in a binary form without being compiled into a binary form.

Moreover, XML, HTML and SGML do not necessarily use compilers but instead interpret instructions without compiling the instructions into a binary form. For example, there is no provision in XML for mandating that "3.14159" is a floating-point number rather than a seven-character string. In comparison, in compiling data into a binary form there is a mandate that "3.14159" is a floating-point number. As such, XML, HTML and SGML interpret instructions and do not compile data into a binary form, as claimed. Accordingly, Kaiser fails to expressly or inherently disclose business data compiled into a binary form, as claimed.

Moreover, Kaiser discloses that the information request action is a link to action resources which implements the information request action (see Kaiser, col. 11, lines 63-65) and that the information request may be implemented with HTML pages and XML pages (see Kaiser, col. 12, lines 1-2). The above referenced Office Action admits that Kaiser does not explicitly teach or suggest a script authoring tool as claimed. To remedy this defect, the above referenced Office Action states that "Kaiser inherently includes an authoring tool, as an authoring tool is required for a programmer to design a script which is utilized to load or run an XML page." The Applicants respectfully disagree. Moreover, assuming arguendo that it is inherent to include an authoring tool, the disclosure in Kaiser still does not teach or suggest that the compiled business data is processed according to the generated script, as claimed.

Furthermore, Kaiser discloses programmed or programmable logic capable of receiving and reproducing the video production such as a set-top-box and WEBTV Plus set-top box (see Kaiser, col. 7, lines 33-46). Accordingly, Kaiser discloses a receiver capable of reproducing the video production without either expressly or inherently teaching or suggesting that business data and the script are streamed to a receiver, as claimed.

Additionally, Kaiser discloses that ASI interpreter parses the ASI characterization and renders a visual representation (see Kaiser, col. 8, lines 27-

47). More specifically, ASI indication and ASI characterization are communicated to the reproducing apparatus where the ASI characterization is parsed, rendered, integrated with other visuals, and communicated (see Kaiser, col. 9, lines 40-50) using HTTP protocol (see Kaiser, col. 8, lines 47-60). Internet programming method is used and an action resource is implemented using HTML, XML, CGI scripts (see Kaiser, col. 8, lines 47-60). The Applicants do not understand Kaiser to either expressly or inherently teach or suggest that the receiver uses the script to access the compiled business data, as claimed.

Accordingly, independent Claim 1 is not anticipated, under 35 USC 102(e), by Kaiser. Dependent Claims 2-6 are patentable by virtue of their dependency.

Independent Claim 7 recites limitation similar to that of independent Claim 1. Moreover, independent Claim 7 recites a limitation whereby a request within a script to download business data is processed, compiled business data in a binary form is received, and the script map an item of business data into a position within an authored page template, as claimed.

Kaiser discloses that the video production communication procedure involves communication of a video production from a video production device to the reproducing apparatus (see Kaiser, col. 9, lines 32-37). Furthermore, Kaiser

discloses that during reproduction when a trigger is encountered, the ASI indication and the ASI characterization is communicated to the reproducing apparatus (see Kaiser, col. 9, lines 37-43). Accordingly, Kaiser discloses that a trigger is sent to initiate the reproduction. The Applicants do not understand Kaiser to either explicitly or inherently teach or suggest a request to download business data, as claimed but rather teaches a trigger to initiate video production.

Moreover, receiving compiled business data in a binary form and the script mapping an item of business data into a position within an authored page template, as claimed are neither taught nor suggested by Kaiser for reasons discussed above.

Accordingly, independent Claim 7 is not anticipated, under 35 USC 102(e), by Kaiser. Dependent Claims 8-13 are patentable by virtue of their dependency.

Independent Claims 14 and 20 recite limitations similar to that of independent Claims 1 and 7. Accordingly, independent Claims 14 and 20 are not anticipated, under 35 USC 102(e), by Kaiser. Dependent Claims 15-19 and 21-26 are patentable by virtue of their dependency.

Moreover, Claims 3 and 16 recite a limitation whereby the compiling of the business data is configured to improve access speed to the business data, as claimed. Claims 3 and 16 incorporate the limitations of their respective independent claims. As such, compilation of the business data is in a binary form, as claimed. The above referenced Office Action states that "Kaiser inherently teaches improving the access speed to the business data as XML is validated on the server side." However, as discussed above XML does not necessarily compile data into a binary form but instead interpret instructions. As such, Kaiser does not expressly or inherently teach or suggest compilation of the business data into a binary form to improve access speed, as claimed. Claims 4 and 17 are patentable over Kaiser for similar reasons to that of Claims 3 and 16.

Moreover, Claim 8 recites a limitation whereby a request within a script is processed to map business data into a location within the template, as claimed. Kaiser on the other hand discloses an action selection interface which may be selected by the user (see Kaiser, col. 10, lines 51-67). Action selection interface is an interactive mean for the user to make a selection and initiate a selectable action. Therefore, Kaiser is directed to an interface for allowing a user to interact whereas Claim 8 recites processing a request within a script to map business data into a location within the template, as claimed without involving the user.

As such, allowance of Claims 1-26 is earnestly solicited.

Claim rejections
35 USC § 103

In section 3 of the above referenced Office Action, Claims 6, 10, and 22 were rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Kaiser. Applicants respectfully traverse the rejection.

Claims 6, 10, and 22 depend from independent Claims 1, 7, and 20 and inherit the limitations of Claims 1, 7, and 20 respectively. Therefore, even if the use of a modem is well known, defects of Kaiser with regards to independent Claims 1, 7, and 20 discussed above have not been cured and are inherited by Claims 6, 10, and 22. Accordingly, Claims 6, 10, and 22 are patentable, under 35 USC 103(a), over Kaiser. As such, allowance of Claims 6, 10, and 22 is earnestly solicited.

For the above reasons, Applicants request reconsideration and withdrawal of these rejections under 35 U.S.C. 102(e) and 35 U.S.C. §103.

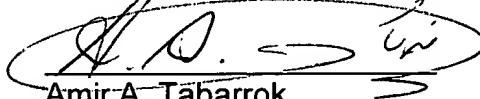
CONCLUSION

In light of the above listed remarks, reconsideration of the rejected Claims is requested. Based on the arguments presented above, it is respectfully submitted that Claims 1-26 overcome the rejections and objections of record and, therefore, allowance of Claims 1-26 is earnestly solicited.

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Dated: May 30th, 2006

Respectfully submitted,
WAGNER, MURABITO & HAO LLP

A handwritten signature in black ink, appearing to read "A. A. Tabarrok", is written over a horizontal line. The signature is enclosed within a hand-drawn oval.

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